

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Fourth Judicial District Court, County of Missoula

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-17-528
-vs-	)	
	)	DECISION
ASHLEY MARIE McCORMACK,	)	
	)	
Defendant.	)	

On September 25, 2018, Defendant was sentenced to the Department of Corrections for five (5) years for the offense of Count I: Criminal Possession of Dangerous Drugs – anabolic steroid – 1<sup>st</sup> Offense. The Court recommended Defendant be screened for all available treatment programs and encouraged the Elkhorn Treatment Program. She was given credit for time served of 2 days.

On April 5, 2019, Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter “the Division”). The Defendant was present and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. Defendant was further advised that there is no appeal from a decision of the Division. Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

Done in open Court this 5<sup>th</sup> day of April, 2019.

DATED this 25<sup>th</sup> day of April, 2019.

SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



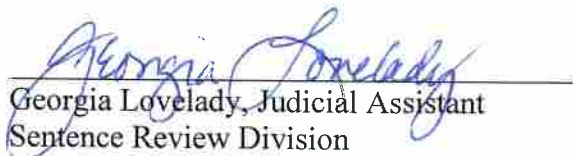
Hon. Dan Wilson, Member



Hon. Luke Berger, Member

Copies mailed this 7<sup>th</sup> day  
of May, 2019, to:

Clerk of District Court (Original)  
Ashley Marie McCormack #2098679, Defendant (2)  
Hon. Robert L Deschamps III  
Brent Getty, Defense Counsel  
James McCubbin, Esq.  
Board of Pardons and Parole  
MWP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division